KA / BG-GPO / 2515 / WPP-47 / 2009-2011

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೫	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ಆಗಸ್ಟ್ ೧೯, ೨೦೧೦ (ಶ್ರಾವಣ ೨೮, ಶಕ ವರ್ಷ ೧೯೩೨)	ಸಂಚಿಕೆ ೩೩

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 24 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12ನೇ ಜುಲೈ 2010

2010ನೇ ಸಾಲಿನ ಮಾರ್ಚ್ 30ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010 (No. 10 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 30th March, 2010/Chaitra 9, 1932 (Saka)

The following Act of Parliament received the assent of the President on the 29th March, 2010, and is hereby published for general information:-

THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (AMENDMENT AND VALIDATION) ACT, 2010

(No. 10 OF 2010)

[29th March, 2010]

An Act further to amend the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and to make provision for validation of certain actions taken by the Central Government under the said Act.

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows :-

1. Short title and commencement : (1) This Act may be called the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010.

(2) Save as otherwise provided, it shall be deemed to have come into force (except sections 3, 5, 7 and 8 to 11) on the 23rd day of January, 2010.

2. Amendment of section 2 : On and from the 16th day of June, 1992, in the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) (hereinafter referred to as the principal Act), in Section 2,-

(i) after clause (d), the following clauses shall be inserted and shall be deemed to have been inserted, namely :-

'(da) "Authority" means the National Monuments Authority constituted under section 20F;

(db) "competent authority" means an officer not below the rank of Director of archaeology or Commissioner of archaeology of the Central or State Government or equivalent rank, specified, by notification in the Official Gazette, as the competent authority by the Central Government to perform functions under this Act:

Provided that the Central Government may, by notification in the Official Gazette, specify different competent authorities for the purpose of sections 20C, 20D and 20E;

(dc) "construction" means any erection of a structure or a building, including any addition or extension thereto either vertically or horizontally, but does not include any re-construction, repair and renovation of an existing structure or building, or construction, maintenance and cleansing of drains and drainage works and of public latrines, urinals and similar conveniences, or the construction and maintenance of works meant for providing supply of water for public, or, the construction or maintenance, extension, management for supply and distribution of electricity to the public or provision for similar facilities for public;'

(ii) after clause (h), the following clause shall be inserted and shall be deemed to have been inserted, namely :-

`(ha) "prohibited area" means any area specified or declared to be a prohibited area under section 20A;'

(iii) after clause (i), the following clauses shall be inserted and shall be deemed to have been inserted, namely:-

`(k) "re-construction" means any erection of a structure or building to its pre-existing structure, having the same horizontal and vertical limits;

(l) "regulated area "means any area specified or declared under section 20B;

(m) "repair and renovation" means alterations to a pre-existing structure or building, but shall not include construction or re-construction;'.

3. Insertion of new section 4A. : After section 4 of the principal Act, the following section shall be inserted, namely :-

"4A. Categorisation and classification in respect of ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4 : (1) The Central Government shall, on the recommendation of the Authority, prescribe categories in respect of ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and

4, and while prescribing such categories it shall have regard to the historical, archaeological and architectural value and such other factors as may be relevant for the purpose of such categorisation.

(2) The Central Government shall, on the recommendation of the Authority, classify all the ancient monuments or archaeological sites and remains declared as of national importance under sections 3 and 4, in accordance with the categories prescribed under sub-section (1) and thereafter make the same available to the public and exhibit the same on its website and also in such other manner as it may deem fit."

4. Insertion of new section 20A : On and from the 16th day of June, 1992, after section 20 of the principal Act, the following section shall be inserted and shall be deemed to have been inserted, namely:-

"PROHIBITED AND REGULATED AREAS

20A. Declaration of prohibited area and carrying out public work or other works in prohibited area : Every area, beginning at the limit of the protected area or the protected monument, as the case may be, and extending to a distance of one hundred metres in all directions shall be the prohibited area in respect of such protected area or protected monument:

Provided that the Central Government may, on the recommendation of the Authority, by notification in the Official Gazette, specify an area more than one hundred metres to be the prohibited area having regard to the classification of any protected monument or protected area, as the case may be, under section 4A.

(2) Save as otherwise provided in section 20C, no person, other than an archaeological officer, shall carry out any construction in any prohibited area.

(3) In a case where the Central Government or the Director-General, as the case may be, is satisfied that-

(a) it is necessary or expedient for carrying out such public work or any project essential to the public; or

(b) such other work or project, in its opinion, shall not have any substantial adverse impact on the preservation, safety, security of, or, access to, the monument or its immediate surrounding,

it or he may, notwithstanding anything contained in sub-section (2), in exceptional cases and having regard to the public interest, by order and for reasons to be recorded in writing, permit, such public work or project essential to the public or other constructions, to be carried out in a prohibited area:

Provided that any near any protected monument or its adjoining area declared, during the period beginning on or after the 16th day of June, 1992 but ending before the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, as a prohibited area in respect of such protected monument, shall be deemed to be the prohibited area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted by the Central Government or the Director-General, as the case may be, for the construction within the prohibited area on the basis of the recommendation of the Expert Advisory Committee, shall be deemed to have been validly granted in accordance with the provisions of this Act, as if this section had been in force at all material times:

Provided further that nothing contained in the first proviso shall apply to any permission granted, subsequent to the completion of construction or re-construction of any building or structure in any

prohibited area in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 1764, dated the 16th June, 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, or, without having obtained the recommendations of the Committee constituted in pursuance of the order of the Government of India number 24/22/2006-M, dated the 20th July, 2006 (subsequently referred to as the Expert Advisory Committee in orders dated the 27th August; 2008 and the 5th May, 2009)."

5. Amendment of section 20A : In section 20A of the principal Act (as so inserted by section 4 of this Act), after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) No permission, referred to in sub-section (3), including carrying out any public work or project essential to the public or other constructions, shall be granted in any prohibited area on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010 receives the assent of the President".

6. Insertion of new section 20B : On and from the 16th day of June, 1992, after section 20A of the principal Act, the following section shall be inserted and shall be deemed to have been inserted, namely :-

"20-B. Declaration of regulated area in respect of every protected monument : Every area, beginning at the limit of prohibited area in respect of every ancient monument and archaeological site and remains, declared as of national importance under sections 3 and 4 and extending to a distance of two hundred metres in all directions shall be the regulated area in respect of every ancient monument and archaeological site and remains:

Provided that the Central Government may, by notification in the Official Gazette, specify an area more than two hundred metres to be the regulated area having regard to the classification of any protected monument or protected area, as the case may be, under section 4A:

Provided further that any area near any protected monument or its adjoining area declared, during the period beginning on or after the 16th day of June, 1992 but ending before the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, as a regulated area in respect of such protected monument, shall be deemed to be the regulated area declared in respect of that protected monument in accordance with the provisions of this Act and any permission or licence granted for construction in such regulated area shall, be deemed to have been validly granted in accordance with the provisions of this Act, as if this section had been in force at all material times".

7. Insertion of new sections 20C, 20D, 20E, 20F, 20G, 20H, 20-I,20J, 20K, 20L, 20M, 20N, 20-O, 20Pand 20Q : After Section 20B of the principal Act (as so inserted by section 6 of this Act) the following sections shall be inserted, namely :-

'20-C. Application for repair or renovation in prohibited area, or construction or re-construction or repair or renovation in regulated area : (1) Any person, who owns any building or structure, which existed in a prohibited area before the 16th day of June, 1992, or, which had been subsequently constructed with the approval of the Director-General and desires to carry out any repair or renovation of such building or structure, may make an application to the competent authority for carrying out such repair or renovation, as the case may be.

(2) Any person, who owns or possesses any building or structure or land in any regulated area, and desires to carry out any construction or re-construction or repair or renovation of such building or structure on such land, as the case may be, may make an application to the competent authority for carrying out construction or re-construction or repair or renovation, as the case may be.

GRANT OF PERMISSION BY COMPETENT AUTHORITY

20-D. Grant of permission by competent authority within regulated area : (1) Every application for grant of permission under section 20C of this Act shall be made to the competent authority in such manner as may be prescribed.

(2) The competent authority shall, within fifteen days of the receipt of the application, forward the same to the Authority to consider and intimate impact of such construction (including the impact of large-scale development project, public project and project essential to the public) having regard to the heritage bye-laws relating to the concerned protected monument or protected area, as the case may be:

Provided that the Central Government may prescribe the category of applications in respect of which the permission may be granted under this sub-section and the application which shall be referred to the Authority for its recommendations.

(3) The Authority shall, within two months from the date of receipt of application under sub-section (2), intimate to the competent authority impact of such construction (including the impact of large-scale development project, public project and project essential to the public).

(4) The competent authority shall, within one month of the receipt of intimation from the Authority under sub-section (3), either grant permission or refuse the same as so recommended by the Authority.

(5) The recommendations of the Authority shall be final.

(6) In case the competent authority refuses to grant permission under this section, it shall, by order in writing, after giving an opportunity to the concerned person, intimate such refusal within three months from the date of receipt of the application to the applicant, the Central Government and the Authority.

(7) If the competent authority, after grant of the permission under sub-section (4) and during the carrying out of the repair or renovation work or re-construction of building or construction referred to in that sub-section, is of the opinion (on the basis of material in his possession or otherwise) that such repair or renovation work or re-construction of building or construction is likely to have an adverse impact on the preservation, safety, security or access to the monument considerably, it may refer the same to the Authority for its recommendations and if so recommended, withdraw the permission granted under sub-section (4) if so required.

Provided that the competent authority may, in exceptional cases, with the approval of the Authority grant permission to the applicant referred to in sub-section (2) of section 20C until the heritage bye-laws have been prepared under sub-section (1) of section 20E and published under sub-section (7) of that section.

(8) The Central Government, or the Director-General, as the case may be, shall exhibit, on their website, all the permissions granted or refused under this Act.

20-E. Heritage bye-laws : (1) The competent authority, in consultation with Indian National Trust for Arts and Cultural Heritage, being a trust registered under the Indian Trusts Act, 1882 (2 of 1882.), or

such other expert heritage bodies as may be notified by the Central Government, shall prepare heritage bye-laws in respect of each protected monument and protected area.

(2) The heritage bye-laws referred to in sub-section (1) shall, in addition to such matters as may be prescribed, include matters relating to heritage controls such as elevations, facades, drainage systems, roads and service infrastructure (including electric poles, water and sewer pipelines).

(3) The Central Government shall, by rules, specify the manner of preparation of detailed site plans in respect of each protected area or protected monument or prohibited area or regulated area, the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws.

(4) The competent authority for the purpose of preparation of detailed site plans and heritage bye-laws may appoint such number of experts or consultants as it may deem fit.

(5) A copy of each of the heritage bye-laws prepared under sub-section (1) shall be forwarded to the Authority for its approval.

(6) A copy of the heritage bye-laws as approved by the Authority under sub-section (5) shall be laid before each House of Parliament.

(7) Each heritage bye-laws shall, be made available by the competent authority to the public, by exhibiting the same on its website and also in such other manner as it may deem fit, immediately after laying the same before each House of Parliament.

NATIONAL MONUMENTS AUTHORITY

20-F. Constitution of National Monuments Authority : (1) The Central Govrenment shall, by notification in the Official Gazette, constitute an Authority to be called as the National Monuments Authority.

(2) The Authority shall consists of, -

(a) a Chairperson, on whole-time basis, to be appointed by the President, having proven experience and expertise in the fields of archaeology, country and town planning, architecture, heritage, conservation-architecture or law;

(b) such number of members not exceeding five whole-time members and five part-time members to be appointed, on the recommendation of the Selection Committee referred to in section 20G, by the Central Government, having proven experience and expertise in the fields of archaeology, country and town planning, architecture, heritage, conservation-architecture or law;

(c) the Director-General as member, ex officio.

(3) The tenure of the whole-time Chairperson or every whole-time member and every part-time member, of the Authority shall be three years from the date on which he assumes office as such and shall not be eligible for re-appointment:

Provided that, save as otherwise provided in clause (c) of sub-sectoin (2), any person who has held any post in the Archaeological Survey of India or in the Ministry of Culture of the Government of India or a State Government or has not been found fit to be considered for being appointed to any such post shall, not be eligible to be appointed as the Chairperson or a member of the Authority:

Provided further that any person, who had either been granted a permission or licence or refused any such permission or refused grant of a licence or any person or any of his relative having any interest in a prohibited area or a regulated area shall not be eligible to be appointed as a Chairperson or member.

Explanation.- For the purposes of this section, "relative" means-

(i) spouse of the Chairperson or member of the Authority;

(ii) brother or sister of the Chairperson or member of the Authority;

(iii) brother or sister of the spouse of the Chairperson or member of the Authority;

(iv) brother or sister of either of the parents of the Chairperson or member of the Authority;

(v) any lineal ascendant or descendant of the Chairperson or member of the Authority;

(vi) any lineal ascendant or descendant of the spouse of the Chairperson or member of the Authority;

(vii) spouse of the person referred to in clauses (ii) to (vi);

(4) An officer, not below the rank of Joint Secretary to the Government of India, shall be the Member Secretary of the Authority.

(5) The Central Government shall provide such number of officers and other employees as may be necessary for discharge of functions by the Authority under this Act.

20-G. Selection Committee for selection of members of Authority : (1) Every whole-time member and every part-time member of the Authority shall be selected by a Selection Committee consisting of the following persons, namely :-

(a) Cabinet Secretary – Chairperson, ex officio;

(b) Secretary in the Ministry of Culture - member, ex officio;

(c) Secretary in the Ministry of Urban development – member, ex officio;

(d) three experts, having proven experience and expertise in the fields of archaeology, architecture, heritage or conservation-architecture to be nominated by the Central Government.

(2) The Selection Committee referred to in sub-section (1) shall regulate its own procedure for the purposes of selecting whole-time members and part-time members of the Authority.

20-H. Salary, allowances and meetings of Authority : (1) The salaries and allowances payable to the whole-time Chairperson and whole-time members, and the other terms and conditions of their service or fees or allowances payable to the part-time members, of the Authority shall be such as may be prescribed:

Provided that neither the salary and allowances not the other terms and conditions of service of the whole-time Chairperson and whole-time members shall be varied to their disadvantage after their appointment.

(2) The Authority shall regulate its own procedure for the purposes of holding its meetings (including quorum of such meetings) and granting permissions under this Act.

(3) All the decisions of the Authority shall be published in such manner as it may decide and also on its own website and on the website of the Central Government.

20-I. Functions and powers of Authority : (1) The Authority shall exercise or discharge the following powers or functions, namely:-

(a) make recommendations to the Central Government for grading and classifying protected monuments and protected areas declared as of national importance under sections 3 and 4, before the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010;

(b) make recommendations to the Central Government for grading and classifying protected monuments and protected areas which may be declared after the commencement of the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, as of national importance under section 4;

(c) oversee the working of the competent authorities;

(d) to suggest measures for implementation of the provisions of this Act;

(e) to consider the impact of large-scale development projects, including public projects and projects essential to the public which may be proposed in the regulated areas and make recommendations in respect thereof to the competent authority;

(f) to make recommendations to the competent authority for grant of permission.

(2) The Authority shall, for the purpose of discharging functions under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908), while trying a suit in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) any other matter which may be prescribed.

20-J. Removal of Chairperson and members : (1) Notwithstanding anything contained in sub-section (3) of section 20F, the President in the case of the Chairperson and the Central Government in the case of whole-time member and part-time member may, by order, remove from office, the Chairperson or any such member of the Authority, if he-

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as Chairperson or member; or

(d) has acquired such financial or other interests as is likely to affect prejudicially his functions; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson or any member of the Authority shall not be removed under clauses (d) and (e) of sub-section (1) unless he has been given a reasonable opportunity of being heard in the matter.

20-K. Restriction on future employment by Chairperson and members : On ceasing to hold office, the Chairperson or whole-time member of the Authority, as the case may be, shall, subject to the provisions of this Act, be ineligible, for a period of five years from the date on which they cease to hold office, for further employment (including as consultant or expert or otherwise) in any institution, agency or organisation of any nature mainly dealing with archaeology, country and town planning, architecture, heritage and conservation-architecture or whose matters had been before the Chairperson or such member.

20-L. Power of Central Government to issue directions to Authority : (1) Without prejudice to the foregoing provisions of this Act, the Authority shall, in exercise of its powers or the discharge of its functions under this Act, be bound by such directions on question of policecy, other than those relating to

technical and administrative matters, as the Central Government may give in writing to it from time to time:

Provided that the Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(2) The decision of the Central Government, whether a question is one of policy or not, shall be final.

20-M. Power of Central Government to issue directions to competent authority : Without prejudice to the foregoing provisions of this Act, the competent authority shall, in exercise of its powers or the discharge of its functions under this Act, be bound by such directions, as the Central Government may give in writing to it from time to time.

20-N. Power of Central Government to supersede Authority : (1) If, at any time the Central Government is of the opinion,-

(a) that, on account of circumstances beyond the control of the Authority, it is unable to discharge the functions or perform the duties imposed on it by or under the provisions of this Act; or

(b) that the Authority has persistently defaulted in complying with any direction given by the Central Government under this Act or in the discharge of the functions or performance of the duties imposed on it by or under the provisions of this Act and as a result of such default the financial position of the Authority or the administration of the Authority has suffered; or

(c) that circumstances exist which render it necessary in the public interest so to do,

the Central Government may, by notification in the Official Gazette, supersede the Authority for such period, not exceeding six months, as may be specified in the notification and appoint a person or persons as the President may direct to exercise powers and discharge functions under this Act.

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Authority to make representations against the proposed supersession and shall consider the representations, if any, of the Authority.

(2) Upon the publication of a notification under sub-section (1) superseding the Authority,-

(a) the Chairperson and all other whole-time members and part-time members shall, as from the date of supersession, vacate their offices as such;

(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Authority shall, until the Authority is reconstituted under sub-section (3), be exercised and discharged by the person or persons referred to in sub-section (1); and

(c) all properties owned or controlled by the Authority shall, until the Authority is reconstituted under sub-section (3), vest in the Central Government.

(3) On or before the expiration of the period of supersession specified in the notification issued under sub-section (1), the Central Government shall reconstitute the Authority by a fresh appointment of its Chairperson and other whole-time members and part-time members and in such case any person who had vacated his office under clause (a) of sub-section (2) shall not be deemed to be disqualified, subject to the provisions of sub-section (3) of section 20F for reappointment for the remaining period.

(4) The Central Government shall cause a copy of the notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of Parliament at the earliest.

20-O. Bar of Jurisdiction of civil court : No civil court shall have jurisdiction in respect of any matter which the Authority is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

20-P. Annual report : (1) The Authority shall prepare once in every year, in such form and at such time as may be prescribed by the Central Government, an annual report giving full description of all the activities of the Authority for the previous year.

(2) A copy of the report received under sub-section (1) shall be laid, as soon as may be after it is received, before each House of Parliament.

20-Q. Power to call for information : Where the Central Government considers it expedient so to do, it may, by order in writing call upon the Authority or the competent authority, as the case may be, to furnish in writing such information, in such form and manner as may be prescribed, relating to its affairs as the Central Government may require".

8. Amendment of Section 30 : In section 30 of the principal Act,-

(a) in sub-section (1),-

(i) for the words "imprisonment which may extend to three months", the words "imprisonment which may extend to two years" shall be substituted;

(ii) for the words "fine which may extend to five thousand rupees", the words "fine which may extend to one lakh rupees" shall be substituted;

(b) in sub-section (2), for the words "fine which may extend to five thousand rupees", the words "imprisonment which may extend to two years or with fine which may extend to one lakh rupees or with both" shall be substituted.

9. Insertion of new sections 30A, 30B and 30C : After section 30 of the principal Act, the following sections shall be inserted, namely:-

"30A. Punishment for construction, etc., in prohibited area : Whoever raises, on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill 2010, receives the assent of the President, any construction in the prohibited area, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

30B. Punishment for construction, etc., in regulated area : Whoever raises, on and after the date on which the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Bill, 2010, receives the assent of the President, any construction in the regulated area without the previous permission of the competent authority or in contravention of the permission granted by the competent authority, shall be punishable with imprisonment not exceeding two years or with fine which may extend to one lakh rupees or with both.

30C. Offences by officers of Government : If any officer of the Central Government enters into or acquiesces in any agreement to do, abstains from doing, permits, conceals or connives at any act or thing whereby any construction or re-construction takes place in a prohibited area or regulated area, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both".

10. Insertion of new sections 35A and 35B : After section 35 of the principal Act, the following sections shall be inserted, namely:-

"35A. Obligation to survey the protected prohibited area and regulated areas : (1) The Director-General shall, within such time as may be specified by the Central Government, conduct a survey or cause survey to be conducted in respect of all prohibited areas and regulated areas for the purpose of detailed site plans.

(2) A report in respect of such survey referred to in sub-section (1) shall be forwarded to the Central Government and to the Authority.

35B. Identification of un-authorised constructions on or after 16th june, 1992 : (1) The Director-General shall, within such time as may be specified by the Central Government. identify or cause to be identified, all constructions (of whatever nature) made on and after the 16th day of june, 1992 in all prohibited areas and regulated areas and, thereafter, submit from time to time a report in respect thereof to the Central Government.

(2) The Director-General shall, for the purposes of sub-section (1), have the power to call for information from the local bodies and other authorities".

11. Amendment of section 38 : In section 38 of the principal Act, in sub-section (2), after clause (c), the following clauses shall be inserted, namely:-

"(ca) the categories of ancient monuments or archaeological sites and remains, declared as of national importance, under sub-section (1) of section 4A;

(cb) the manner of making application for grant of permission under sub-section (1) of section 20D;

(cc) the category of applications in respect of which the permission may be granted and applications which shall be referred to the Authority for its recommendation, under sub-section (2) of section 20D;

(cd) the other matters including heritage controls such as elevations, facades, drainage systems, roads and service infrastructure (including electric poles, water and sewer pipelines) under sub-section (2) of section 20E;

(ce) the manner of preparation of detailed site plans in respect of each prohibited area and regulated area and the time within which such heritage bye-laws shall be prepared and particulars to be included in each such heritage bye-laws under sub-section (3) of section 20E;

(cf) salaries and allowances payable to, and the other terms and conditions of service of, the whole-time Chairperson and whole-time members, or fees or allowances payable to the part-time members, of the Authority under sub-section (1) of section 20H;

(cg) the form in which and time at which the Authority shall prepare an annual report giving full description of its activities for the previous year under section 20P;

(ch) the form and manner in which the Authority and competent authority shall furnish information to the Central Government under section 20Q;".

12. Validation of action taken, etc., under notification No. S.O. 1764, dated 16th June, 1992 : Notwithstanding anything contained in any judgment, decree or order of any court, tribunal or other authority-

(a) any thing done or purported to be done or any action taken or purported to be taken by the Central Government, except as provided in the second proviso to sub-section (3) of section 20A, immediately before the commencement of this Act, in pursuance of the notification of the Government of India in the Department of Culture (Archaeological Survey of India) number S.O. 1764, dated the 16th June, 1992 issued under rule 34 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, shall be deemed to be and deemed to have always been done or taken validly and in accordance with law at all material times [except as provided in the second proviso to sub-section (3) of section 20A] and no action taken or thing done (including any order made, agreement entered into, or notification issued for constituting any Expert Advisory Committee) in connection with any permission granted or licence issued for any construction in a prohibited area or a regulated area in respect of a protected monument, shall be deemed to be invalid or ever to have become invalid except as provided in the second proviso to sub-section (3) of section 20A merely on the ground that the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) or any rules, orders or notification issued thereunder did not contain any provision for constitution of an Expert Advisory Committee or Advisory Committee, as the case may be;

(b) no suit, claim or other proceedings shall be instituted, maintained or continued in any court, tribunal or other authority for any permission or licence granted by the Central Government or the Director-General under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958) or any rule, order or notification made thereunder for carrying out any repair, renovation or construction work or for undertaking any public work or public project before the commencement of this Act;

(c) no claim or challenge shall be made in or entertained by any court, tribunal or other authority solely on the ground that the Central Government or the Director-General did not take into consideration any of the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), as amended by the Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Act, 2010, in granting any permission or licence for the purpose of carrying out any mining or repair, renovation or construction work in a prohibited area or a regulated area at any time between the 16th day of June, 1992 and the date of commencement of this Act.

13. Repeal and savings : (1) The Ancient Monuments and Archaeological Sites and Remains (Amendment and Validation) Ordinance, 2010 (Order 1 of 2010) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act.

V.K. BHASIN,
Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,
ಆರ್. ಆಂಜಿನಿ
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 29

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 13 ಕೇನಿಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 14ನೇ ಜುಲೈ 2010

2010ನೇ ಸಾಲಿನ 09.04.2010 ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 3(i) ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ G.S.R. 301(E) (Notification No. F.No. 1-8/2009-EE-4) ದಿನಾಂಕ 08.04.2010 ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(Department of School Education and Literacy)

NOTIFICATION

New Delhi, the 8th April, 2010

G.S.R. 301(E).- In exercise of the powers conferred by section 38 of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These Rules may be called the Right of Children to Free and Compulsory, Education Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

PART I – PRELIMINARY

2. Definitions.- (1) In these rules, unless the context otherwise requires.-

(a) "Act" means the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009);

(b) "anganwadi" means an Anganwadi Centre established under the Integrated Child Development Services Scheme of the Ministry of Women and Child Development of the Government of India:

(c) "appointed date" means the date on which the Act comes into force, as notified in the Official Gazette;

(d) "appropriate Government", unless otherwise specified, means Government of a Union territory (without State Legislature);

(e) "District Education Officer" means an Officer of the appropriate Government in charge for elementary education in a district:

(f) "pupil cumulative record" means record of the progress of the child based on comprehensive and continuous evaluation;

(g) "school mapping" means planning school location for the purpose of section 6 of the Act to overcome social barriers and geographical distance.

(2) All references to "forms" in these rules shall be construed as references to forms set out in Appendix I hereto.

(3) All other words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

PART II – SCHOOL MANAGEMENT COMMITTEE

3. Composition and functions of the School Management Committee.- (1) A School Management Committee (hereinafter in this rule referred to as the said Committee) shall be constituted in

every school, other than an unaided school, within six months of the appointed date, and reconstituted every two years.

(2) Seventy five percent, of the strength of the said Committee shall be from amongst parents or guardians of children.

(3) The remaining twenty five percent, of the strength of the said Committee shall be from amongst the following persons, namely:-

(a) one third members from amongst the elected members of the local authority, to be decided by the local authority;

(b) one third members from amongst teachers from the school, to be decided by the teachers of the school;

(c) one third members from amongst local educationists or children in the school, to be decided by the parents in the said Committee.

(4) To manage its affairs, the said Committee shall elect a chairperson and vice-chairperson from among the parent members; the head teacher of the school, or where the school does not have a head teacher, the senior most teacher of the school, shall be the ex-officio member-convener of the said Committee.

(5) The said Committee shall meet at least once a month, and the minutes and decisions of the meetings shall be properly recorded and made available to the public.

(6) The said Committee shall, in addition to the functions specified in clauses (a) to (d) of sub-section (2) of section 21, perform the following functions, namely:

(a) communicate in simple and creative ways to the population in the neighbourhood of the school, the rights of the child as enunciated in the Act; as also the duties of the appropriate Government, local authority, school, parent and guardian;

(b) ensure the implementation of clauses (a) and (e) of section 24. and of section 28,

(c) monitor that teachers are not burdened with non academic duties other than those specified in section 27;

(d) ensure the enrolment and continued attendance of all the children from the neighbourhood in the school;

(e) monitor the maintenance of the norms and standards specified in the Schedule;

(f) bring to the notice of the local authority any deviation from the rights of the child, in particular mental and physical harassment of children, denial of admission, and timely provision of free entitlements as per sub-section (2) of section 3;

(g) identify the needs, prepare a plan, and monitor the implementation of the provisions of Section 4;

(h) monitor the identification and enrolment of, and facilities for education of children with disability and ensure their participation in, and completion of elementary education;

(i) monitor the implementation of the mid-day meal in the school;

(j) prepare an annual account of receipts and expenditure of the school.

(7) Any money received by the said Committee for the discharge of its functions under this Act, shall be kept in a separate account, to be audited annually.

(8) The accounts referred to in clause (j) to sub-rule (6) and in sub-rule (7) should be signed by the chairperson or vice-chairperson and convenor of the said Committee and made available to the local authority within one month of their preparation.

4. Preparation of School Development Plan.- (1) The School Management Committee shall prepare a School Development Plan at least three months before the end of the financial year in which it is first constituted under the Act.

(2) The School Development Plan shall be a three year plan comprising three annual sub plans.

(3) The School Development Plan, shall contain the following details, namely:-

(a) estimates of class-wise enrolment for each year;

(b) requirement of the number of additional teachers, including Head Teachers, subject teachers and part time instructors, separately for Classes I to V and for classes VI to VIII, calculated with reference to the norms specified in the Schedule;

(c) physical requirement of additional infrastructure and equipments, calculated with reference to the norms and standards specified in the Schedule:

(d) financial requirement in respect of (b) and (c) above, including for providing special training facility in section 4, entitlements of children such as free text books and uniforms, and any other additional requirement for fulfilling the responsibilities of the school under the Act.

(4) The School Development Plan shall be signed by the Chairperson or vice-chairperson and convenor of the School Management Committee and submitted to the local authority before the end of the financial year in which it is prepared.

PART III – RIGHT TO FREE AND COMPULSORY EDUCATION

5. Special Training.- (1) The School Management Committee of a school owned and managed by the appropriate Government or local authority shall identify children requiring special training and organise such training in the following manner, namely:-

(a) the special training shall be based on specially designed, age appropriate learning material, approved by the academic authority specified in sub-section (1) of section 29;

(b) the said training shall be provided in classes held on the premises of the school, or in classes organised in safe residential facilities;

(c) the said training shall be provided by teachers working in the school, or by teachers specially appointed for the purpose;

(d) the duration of the said training shall be for a minimum period of three months which may be extended, based on periodical assessment of learning progress, for a maximum period not exceeding two years.

(2) The child shall, upon induction into the age appropriate class, after special training, continue to receive special attention by the teacher to enable him to successfully integrate with the rest of the class, academically and emotionally.

PART IV – DUTIES AND RESPONSIBILITIES OF CENTRAL GOVERNMENT, APPROPRIATE GOVERNMENT AND LOCAL AUTHORITY

6. Area or limits of neighbourhood.- (1) The area or limits of neighbourhood within which a school has to be established by the appropriate Government or the local authority shall be.

(a) in respect of children in classes from I to V. a school shall be established within a walking distance of one km of the neighbourhood:

(b) in respect of children in classes from VI to VIII, a school shall be established within a walking distance of three km of the neighbourhood:

(2) Wherever required, the appropriate Government or the local authority shall upgrade existing schools with classes from I to V to include classes from VI to VIII and in respect of schools which start from class VI onwards, the appropriate Government or the local authority shall endeavour to add classes from I to V, wherever required.

(3) In places with difficult terrain, risk of landslides, floods, lack of roads and in general, danger for young children in the approach from their homes to the school, the appropriate Government or the local authority shall locate the school in such a manner as to avoid such dangers, by reducing the area or limits specified under sub-rule (1).

(4) For children from small hamlets, as identified by the appropriate Government or the local authority, where no school exists within the area or limits of neighbourhood specified under sub-rule (1), the appropriate Government or the local authority shall make adequate arrangements, such as free transportation and residential facilities, for providing elementary education in a school, in relaxation of the area or limits specified in the said rule.

(5) In places with high population density, the appropriate Government or the local authority may consider establishment of more than one neighbourhood school having regard to the number of children in the age group of 6-14 years in such places.

(6) The local authority shall identify the neighbourhood school(s) where children can be admitted and make such information public for each habitation.

(7) In respect of children with disability, which prevent them from accessing the school, the appropriate Government or the local authority shall endeavour to make appropriate and safe transportation arrangements to enable them to attend school and complete elementary education.

(8) The appropriate Government or the local authority shall ensure that access of children to the school is not hindered on account of social and cultural factors.

7. Financial Responsibility of the Central Government.- (1) The Central Government shall prepare annual estimates of capital and recurring expenditure for carrying out the provisions of the Act, for a period of five years, within one month of the appointed date, which may be reviewed for every three years.

(2) In order to implement the provisions of the Act, the Central Government shall, within a period of six months of the appointed date, ensure that its programmes for elementary education are in conformity with the provisions of the Act.

(3) The Central Government shall, within a period of six months from the appointed date, hold consultation with the State Governments and determine the percentage of expenditure which it shall provide to the State Governments as grants-in-aid of revenues for implementation of the Act.

(4) Within one month of the appointed date, the Central Government shall cause a reference to be made to the Finance Commission, and cause similar references to be made every time the estimates are revised:

Provided that in case there is no Finance Commission in existence at the time of a particular reference, the Central Government may set up an alternative mechanism for the purpose of providing resources to the State Governments.

8. Academic responsibility of the Central Government.- (1) The Central Government shall notify an academic authority within one month of the appointed date of development of the framework of national curriculum.

(2) The Central Government shall, in consultation with the State Governments, and such other academic authorities it may consider necessary, prepare a Scheme(s) for enabling the State Governments and Union Territories to provide pre-service and in-service training of teachers in respect of schools specified in sub-clauses (i) to (iii) of clause (n) of section 2 of the Act, including a monitoring mechanism in accordance with the standards of training.

9. Responsibilities of the appropriate Government and local authority.- (1) A child attending a school of the appropriate Government or local authority referred to in sub-clause (i) of clause (n) of section 2, a child attending a school referred to in sub-clause (ii) of clause (n) of section 2 in accordance with clause (b) of sub section (1) of section 12, and a child attending a school referred to in sub-clause (iii) and (iv) of clause (n) of section 2 in accordance with clause (c) of sub-section (1) of section 12 shall be entitled to free education as provided for in sub-section (2) of section 3 of the Act, and in particular to free text books, writing materials and uniforms;

Provided that a child with disability shall be entitled also for free special learning and support material.

Explanation : For the purposes of sub-rule (1), it may be stated that in respect of the child admitted in accordance with clause (b) of sub-section (1) of section 12 and a child admitted in accordance with clause (c) of sub-section (1) of section 12, the responsibility of providing the free entitlement shall be of the school referred to in sub-clause (ii) of clause (n) of section 2 and of sub-clauses (iii) and (iv) of clause (n) of section 2, respectively.

(2) For the purpose of determining and for establishing neighbourhood schools, the appropriate government or the local authority shall undertake school mapping and identity all children, including children in remote areas, children with disability, children belonging to disadvantaged group, children belonging to weaker section and children referred to in section 4, within a period of one year from the appointed date, and every year thereafter.

(3) The appropriate Government or the local authority shall ensure that no child is subjected to caste, class, religious or gender abuse in the school.

(4) For the purposes of clause (c) of section 8 and clause (c) of section 9, the appropriate Government and the local authority shall ensure that a child belonging to a weaker section and a child belonging to disadvantaged group is not segregated or discriminated against in the classroom, during mid day meals, in the play grounds, in the use of common drinking water and toilet facilities, and in the cleaning of toilets or classrooms.

10. Maintenance of records of children by the local authority.- (1) The local authority shall maintain a record of all children in its jurisdiction, through a household survey, from their birth till they attain the age of 14 years.

(2) The record, referred to in sub-rule (1), shall be updated annually.

(3) The record, referred to in the said sub-rule, shall be maintained transparently, in the public domain, and used for the purposes of clause (e) of section 9.

(4) The record, referred to in the said sub-rule shall, in respect of every child, include.

(a) name, sex, date of birth, place of birth;

(b) name, address, occupation of parent or guardian;

(c) pre-primary school/anganwadi centre that the child attends (upto age 6);

(d) elementary school where the child is admitted;

(e) present address of the child;

(f) class in which the child is studying (for children between the age of 6 to 14), and if education is discontinued in the territorial jurisdiction of the local authority, the cause of such discontinuance;

(g) whether the child belongs to the weaker section;

(h) whether the child belongs to a disadvantaged group;

(i) whether the child requires special facilities or residential facilities on account of (i) migration and sparse population; (ii) age appropriate admission; and (iii) disability.

(5) The local authority shall ensure that the names of children enrolled in the schools are publicly displayed in each school.

PART V – RESPONSIBILITIES OF SCHOOLS AND TEACHERS

11. Admission of children belonging to weaker section and disadvantaged group.- (1) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in accordance with clause (c) of sub-section (1) of section 12 shall not be segregated from the other children in the classrooms nor shall their classes be held at places and timings different from the classes held for the other children.

(2) The school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall ensure that children admitted in accordance with clause (c) of sub-section (1) of section 12 shall not be discriminated from the rest of the children in any manner pertaining to entitlements and facilities such as text books, uniforms, library and Information, Communication and Technology (ICT) facilities, extra-curricular and sports.

(3) The area or limits of neighbourhood specified in sub-rule (1) of rule 6 shall apply to admissions made in accordance with clause (c) of sub-section (1) of section 12:

Provided that the school may, for the purposes of filling up the requisite percentage of seats for children referred to in clause (c) of sub-section (1) of section 12, extend these area or limits with the prior approval of the appropriate Government.

12. Reimbursement of per-child-expenditure by the appropriate Government.- (1) The total annual recurring expenditure incurred by the appropriate Government, from its own funds, and funds provided by the Central Government and by any other authority, on elementary education in respect of all schools referred to in sub-clause (i) of clause (n) of section 2, divided by the total number of children enrolled in all such schools, shall be the per-child-expenditure incurred by the appropriate Government.

Explanation.- For the purpose of determining the per-child-expenditure, the expenditure incurred by the appropriate Government or local authority on schools referred to in sub-clause (ii) of clause (n) of section 2 and the children enrolled in such schools shall not be included.

(2) Every school referred to in clauses (iii) and (iv) of clause (n) of section 2 shall maintain a separate bank account in respect of the amount received by it as reimbursement under sub-section (2) of section 12.

13. Documents as age proof.- Wherever a birth certificate under the Births, Deaths and Marriages Certification Act, 1886 (6 of 1886) is not available, any one of the following documents shall be deemed to be proof of age of the child for the purposes of admission in schools-

(a) hospital or Auxiliary Nurse and Midwife (ANM) register record;

(b) anganwadi record;

(c) declaration of the age of the child by the parent or guardian;

14. Extended period for admission.- (1) Extended period of admission shall be six months from the date of commencement of the academic year of a school.

(2) Where a child is admitted in a school after the extended period, he shall be eligible to complete studies with the help of special training, as determined by the head teacher of the school.

15. Recognition to school.- (1) Every school, other than a school established, owned or controlled by the Central Government, appropriate Government or the local authority, established before the commencement of this Act shall make a self declaration within a period of three months of the commencement of the Act, in Form No. 1 to the concerned District Education Officer regarding its compliance or otherwise with the norms and standards specified in the Schedule and fulfillment of the following conditions, namely:-

(a) the school is run by a society registerd under the Societies Registration Act, 1860 (21 of 1860), or public trust constituted under any law for the time being in force;

(b) the school is not run for profit to any individual, group or association of individuals or any other persons;

(c) the school conforms to the values enshrined in the Constitution;

(d) the school buildings or other structures or the grounds are used only for the purposes of education and skill development;

(e) the school is open to inspection by any officer authorised by the appropriate Government or the local authority;

(f) the school furnishes such reports and such information as may be required from time to time and complies with such instructions of the appropriate Government or the local authority as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school;

(2) Every self declaration received in Form 1 shall be placed by the District Education Officer in public domain within fifteen days of its receipt.

(3) The District Education Officer shall, within three months of the receipt of the self declaration. cause on-site inspection of such schools which claim in Form No. 1 to fulfill the norms and standards and the conditions mentioned in sub-rule (1).

(4) After the inspection referred to in sub-rule (3) is carried out, the inspection report shall be placed by the District Education Officer in public domain and schools found to be conforming to the norms, standards and the conditions shall be granted recognition by the District Education Officer in Form No. 2 within a period of fifteen days from the date of inspection.

(5) Schools that do not conform to the norms, standards and conditions mentioned in sub-rule (1) shall be listed by the District Education Officer through a public order to this effect; such schools may request the District Education Officer for an on-site inspection for grant of recognition at any time within the next two and a half years, so that such period does not exceed three years from the commencement of the Act;

(6) Schools which do not conform to the norms, standards and conditions mentioned in sub-rule (1) within three years from the commencement of the Act, shall cease to function.

(7) Every school, other than a school established, owned or controlled by the Central Government, appropriate Government or local authority, established after the commencement of this Act shall conform to the norms and standards and conditions mentioned in sub-rule (1) in order to qualify for recognition under this rule.

16. Withdrawal of recognition to school.- (1) Where the District Education Officer (hereinafter in this rule referred to as the said Officer) on his own motion, or on any representation received from any person, has reason to believe, to be recorded in writing, that a school recognised under rule 15, has violated one or more of the conditions for grant of recognition or has failed to fulfill the norms and standards specified in the Schedule, the District Education Officer shall act in the following manner,-

(a) issue a notice to the school specifying the violations of the condition of grant of recognition and seek its explanation within one month.

(b) in case the explanation is not found to be satisfactory or no explanation is received within the stipulated time period, the said Officer may cause an inspection of the school, to be conducted by a Committee of three to five members comprising of educationists, civil society representatives, media, and government representatives, which shall make due inquiry and submit its report, along with its recommendations for continuation of recognition or its withdrawal, to the said Officer.

(c) on receipt of the report and recommendations of the Committee, the said Officer may pass order for withdrawal of recognition:

Provided that no order for withdrawal of recognition shall be passed by the said Officer without giving the school adequate opportunity of being heard.

Provided further that no such order shall be passed by the said Officer without prior approval of the appropriate Government.

(2) The order of withdrawal of recognition passed by the said Officer shall be operative from the immediately succeeding academic year and shall specify the neighbourhood schools to which the children of that school shall be admitted.

PART VI – TEACHERS

17. Minimum qualifications.- (1) The Central Government shall, within one month of the appointed date, notify an academic authority for laying down the minimum qualifications for a person to be eligible for appointment as a teacher.

(2) The Academic authority notified under sub-rule (1), shall, within three months of such notification, lay down the minimum qualifications for persons to be eligible for appointment as a teacher in an elementary school.

(3) The minimum qualifications laid down by the academic authority referred to in sub-rule (1) shall be applicable for every school referred to in clause (n) of section 2.

18. Relaxation of minimum qualifications.- (1) The State Government and the Union territory shall, within six months from the commencement of the Act, estimate the teacher requirement as per the norms in the Schedule for all schools referred to in clause (n) of section 2.

(2) Where a State Government or a Union territory does not have adequate institutions offering courses or training in teacher education, or persons possessing minimum qualifications as notified in sub-rule (2) of rule 17 are not available in sufficient numbers in relation to the requirement of teachers estimated under sub-rule (1), the State Government or the Union territory shall request, within one year of the commencement of the Act, the Central Government for relaxation of the prescribed minimum qualification.

(3) On receipt of the request referred to in sub-rule (2), the Central Government shall examine the request of the State Government or the Union territory and may, by notification, relax the minimum qualifications.

(4) The notification referred to in sub-rule (3) shall specify the nature of relaxation and the time period, not exceeding three years, but not beyond five years from the commencement of the Act, within which the teachers appointed under the relaxed conditions acquire the minimum qualifications specified by the academic authority notified under sub-section (1) of section 23.

(5) After six months from the commencement of the Act, no appointment of teacher for any school can be made in respect of any person not possessing the minimum qualifications notified in sub-rule (2) of rule 17, without the notification of relaxation referred to in sub-rule (3).

(6) A person appointed as teacher within six months of the commencement of the Act, must possess at least the academic qualifications not lower than higher secondary school certificate or equivalent.

19. Acquiring minimum qualifications.- (1) The State Government and the Union territory shall provide adequate teacher education facilities to ensure that all teachers in schools referred to in sub-clause (i), and schools owned and managed by the Central Government or the State Government or Union territory or local authority under sub-clause (iii), of clause (n) of section 2, who do not possess the minimum qualifications laid down under sub-rule (2) of rule 17 at the time of commencement of the Act, to acquire such minimum qualifications within a period of five years from the commencement of the Act.

(2) For a teacher of a school referred to in sub-clause (ii) and (iv) of clause (n) of section 2, and of a school referred to in sub-clause (iii) of clause (n) of section 2 not owned and managed by the Central Government. State Government or Union Territory or local, who does not possess the minimum qualifications laid down under sub-rule (2) of Rule 17 at the time of commencement of the Act, the management of such school shall enable such teacher to acquire such minimum qualifications within a period of five years from the commencement of the Act.

20. Salary and allowances and conditions of service of teachers.- (1) The Central Government or the appropriate Government or the local authority, as the case may be, shall notify terms and conditions of service and salary and allowances of teachers of schools owned and managed by them in order to create a professional and permanent cadre of teachers.

(2) In particular and without prejudice to sub-rule (1). The terms and conditions of service shall take into account the following namely:-

(a) accountability of teachers to the School Management Committee;

(b) provisions enabling long term stake of teachers in the teaching profession.

(3) The scales of pay and allowances, medical facilities, pension, gratuity, provident fund, and other prescribed benefits of teachers shall be at par for similar qualification, work and experience.

21. Duties performed by teachers.- (1) The teacher shall maintain a file containing the pupil cumulative record for every child shall be the basis for awarding the certificate for completion of elementary education.

(2) A teacher, in addition to the functions specified in clauses (a) to (e) of sub-section (1) of section 24, may perform the following duties;

(a) participation in training programmes;

(b) participation in curriculum formulation, and development of syllabi, training modules and text book development;

22. Maintaining pupil-teacher ratio.- (1) The sanctioned strength of teachers in a school shall be notified by the Central Government, appropriate Government or the local authority, as the case may be, within a period of three months of the appointed date;

Provided that the Central Government, appropriate Government or the local authority, as the case may be, shall, within three months of such notification, redeploy teachers of schools having strength in excess of the sanctioned strength prior to the notification referred to in sub-rule (1).

(2) If any person of the Central Government, appropriate Government or the local authority violates the provisions of sub-section (2) of section 25, he or she shall be personally liable for disciplinary action.

PART VII – CURRICULUM AND COMPLETION OF ELEMENTARY EDUCATION

23. Academic authority.- (1) The Central Government shall notify an academic authority for the purposes of section 29 within one month of the appointed date.

(2) While laying down the curriculum and evaluation procedure, the academic authority notified under sub-rule (1) shall,-

(a) formulate the relevant and age appropriate syllabus and text books and other learning material;

(b) develop in-service teacher training design; and

(c) prepare guidelines for putting into practice continuous and comprehensive evaluation.

(3) The academic authority referred to in sub-rule (1) shall design and implement a process of holistic school quality assessment on a regular basis.

24. Award of certificate.- (1) The certificate of completion of elementary education shall be issued at the school level within one month of the completion of elementary education.

(2) The certificate referred to in sub-rule (1) shall contain the pupil cumulative record of the child.

PART VIII – PROTECTION OF RIGHT OF CHILDREN

25. Performance of functions by the National Commission for Protection of Child Rights.- The Central Government shall provide resource support to the National Commission for Protection of Child Rights in performance of its functions under the Act.

26. Manner of furnishing complaints before the National Commission for Protection of Child Rights.- The National Commission for Protection of Child Rights may set up a child helpline to register complaints regarding violation of rights of the child under the Act, which may be monitored by it through a transparent on-line mechanism.

27. Performance of functions by the State Commission for Protection of Child Rights.- (1) An appropriate Government which does not have a State Commission for Protection of Child Rights, may take immediate steps to set up such Commission.

(2) Till such time as the appropriate Government sets up the State Commission for Protection of Child Rights, it shall constitute an interim authority known as the Right to Education Protection Authority (hereinafter in this rule referred to as the REPA) for the purposes of performing the functions specified in sub-section (1) of section 31, within six months of the commencement of Act or the constitution of the State Commission for Protection of Child Rights, whichever is earlier.

(3) The Right to Education Protection Authority (REPA) shall consist of the following, namely-

(a) a chairperson who is a person of high academic repute or has been a High Court Judge or has done outstanding work for promoting the rights of children; and

(b) two members, of whom at least one shall be a woman, from the following areas, from amongst persons of eminence, ability, integrity, standing and experience in-

(i) education;

(ii) child health care and child development;

(iii) juvenile justice or care of neglected or marginalized children or children with disabilities;

(iv) elimination of child labour or working with children in distress;

(v) child psychology or sociology; or

(vi) legal profession.

(4) The National Commission for Protection of Child Rights Rules, 2006 shall, so far as pertains to the terms and conditions, mutatis mutandis apply to chairperson and other members of the REPA.

(5) Immediately after the constitution of the State Commission for Protection of Child Rights, all records and assets of the REPA shall be transferred to it.

(6) In performance of its functions, the State Commission for Protection of Child Rights or the REPA, as the case may be, may also act upon matters referred to it by the State Advisory Council.

(7) The appropriate Government shall provide resource support to the State Commission for Protection of Child Rights or the REPA, as the case may be, in performance of its functions under the Act.

28. Manner of furnishing complaints before the State Commission for Protection of Child Rights.- (1) The State Commission for protection of Child Rights, or the Right to Education Protection Authority (hereinafter in this rule referred to as REPA), as the case may be, may set up a child help line which would register complaints regarding violation of rights of the child under the Act, which may be monitored by it through a transparent on-line mechanism.

29. Constitution of the National Advisory Council.- (1) The National Advisory Council (hereinafter in this rule referred to as the Council) shall consist of a Chairperson and fourteen Members.

(2) The Minister of Human Resource Development shall be the ex-officio chairperson of the Council.

(3) Members of the Council shall be appointed by the Central Government from amongst persons having knowledge and practical experience in the field of elementary education and child development, as under.

(a) at least three members should be from amongst persons belonging to the Scheduled Caste, the Scheduled Tribe and minorities;

(b) at least one member should be from amongst persons having specialized knowledge and practial experience of education of children with special needs;

(c) one member should be from amongst persons having specialised knowledge in the field of pre-primary education;

(d) at least one member should be from amongst persons having specialized knowledge and practical experience in the field of teacher education;

(e) The following shall be ex-officio members of the Council

i. Secretary, School Education and Literacy.

ii. Director, National Council of Education Research and Training.

iii. Vice Chancellor, National University of Educational Planning and Administration.

iv. Chairperson, National Council of Teacher Education.

v. Chairperson, National Commission of Protection of Child Rights.

(f) One third of all members shall be women.

(g) Joint Secretary in charge of implementation of the Act will be ex-officio Member Secretary, and secretarial support will be provided by the Department of School Education and Literacy.

(4) The Council may especially invite representatives of other related Ministries/Departments as required.

30. Functions of the National Advisory Council.- (1) The National Advisory Council shall function in an advisory capacity.

(2) The National Advisory Council shall perform one or more of the following functions, namely:-

(a) review

(i) norms and standards specified in the Schedule;

(ii) compliance with teacher qualifications and trainings; and

(iii) implementation of section 29;

(b) commission studies and research for the effective implementation of the Act;

(c) coordinate with the State Advisory Councils;

(d) act as an interface between the public and the media and the Central Government in creating awareness, mobilisation, and a positive environment for the implementation of the Act.

(3) The National Advisory Council shall prepare reports relating to the reviews, studies and research undertaken by it and furnish the same to the Central Government.

31. Constitution of the State Advisory Council.- (1) The State Advisory Council (hereinafter referred to in this rule as the Council) shall consist of a chairperson and fourteen members.

(2) The Minister in-charge of School Education in the appropriate Government shall be the ex-officio chairperson of the Council.

(3) Members of the Council shall be appointed by the appropriate Government from amongst persons having knowledge and practical experience in the field of elementary education and child development, as under

(a) at least three members should be from amongst persons belonging to the Scheduled Caste, the Scheduled Tribe and minorities;
(b) at least one member should be from amongst persons having specialized knowledge and practical experience of education of children with special needs;
(c) one member should be from amongst persons having specialised knowledge in the field of pre-primary education;
(d) at least one member should be from amongst persons having specialized knowledge and practical experience in the field of teacher education;
(e) The following shall be ex-officio members of the Council
  i. Secretary in charge of Elementary Education
  ii. Director State Council of Educational Research and Training/ State Institute of Education.
  iii. Commissioner/Director of Elementary Education.
  iv. Chairperson, State Commission for Protection of Child Rights/ Right to Education Protection Authority.
  (f) One third of all members shall be women.
  (g) SPD, SSA shall be ex-officio Member Secretary of the Council.

(4) The Council may especially invite representatives of other related Ministries/Departments as required.

[F. No. 1-8/2009-EE 4]

ANITA KAUL, Jt, Secy.

APPENDIX

FORM 1

SELF DECLARATION CUM APPLICATION FOR GRANT OF RECOGNITION OF SCHOOL

(See sub-rule (1) of rule 15)

To

The District Education Officer
(Name of District and Union territory)

Sir,

I forward herewith with a self declaration regarding compliance with the norms and standards specified in the Schedule of the Right of Children to Free and Compulsory Education Act, 2009 and an application in the prescribed proforma for the grant of recognition to …………………………… (Name of the school)……………………..

With effect from the commencement of the school year 20………..

Yours faithfully.

Enclosure :

Place :

Date :

Chairman of Managing
Committee/Manager.

A. School Details

1.	Name of School	
2.	Academic Session	
3.	District	
4.	Postal Address	
5.	Village/City	
6.	Tahsil	
7.	Pin Code:	
8.	Phone No. with STD Code	
9.	Fax No.	
10.	E-mail address if any	
11.	Nearest Police Station	

B. General Information

1.	Year of Foundation			
2.	Date of First Opening of School			
3.	Name of Trust/Society/Managing Committee			
4.	Whether Trust/Society/Managing committee/is registered			
5.	Period upto which Registration of Trust/Society/Managing Committee is valid			
6.	Whether there is a proof of non-proprietary character of the Trust/Society/Managing Committee supported by the list of members with their address on an affidavit in copy			
7.	Name official address of the Manager/President/Chairman of the School			
	Name			
	Designation			
	Address			
	Phone			(O) ……………… (R) ………………
8.	Total Income and Expenditure during last 3 years surplus/deficit			
	Year	Income	Expenditure	Surplus/deficit

C. Nature and area of School

1.	Medium of Instruction	
2.	Type of School (Specify entry and exit classes)	
3.	If aided, the name of agency and percentage of aid	
4.	If School Recognized	
5.	If so, by which authority Recognition number	

6.	Does the school has its own building or is it running in a rented building.	
7.	Whether the School buildings or other structures of the grounds are used only for the purpose of education and skill development?	
8.	Total area of the school	
9.	Built in area of the school	

D. Enrollment Status			
	Class	**No. of Section**	**No. of Students**
1.	Pre-primary		
2.	I-V		
3.	VI-VIII		

E. Infrastructure Details and Sanitary Conditions			
	Room	**Numbers**	**Average Size**
1.	Classroom		
2.	Office room – cum – Store Room – cum – Headmaster Room		
3.	Kitchen – Cum – Store		

F. Other Facilities		
1.	Whether all facilities have barrier free access	
2.	Teaching Learning Material (attach list)	
3.	Sports and Play equipments (attach list)	
4.	Facility books in Library • Books (No. of books) • Periodical/Newspapers	
5.	Type and number of drinking water facility	
6.	Sanitary Conditions	
	(i) Type of W.C. and Urinals	
	(ii) Number of Urinals/Lavatories Separately for Boys	
	(iii) Number of Urinals/ Lavatories Separately for Girls	

G. Particulars of Teaching Staff			
1. Teaching in Primary/Upper Primary exclusively (details of each teacher separately)			
	Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
	Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)

	Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
2. Teaching in Both Elementary and Secondary (details of each teacher separately)			
	Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
	Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
	Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)
3. Head Teacher			
	Teacher Name (1)	Father/Spouse Name (2)	Date of Birth (3)
	Academic Qualification (4)	Professional Qualifications (5)	Teaching Experience (6)
	Class Assigned (7)	Appointment Date (8)	Trained or Untrained (9)

H. Curriculum and Syllabus		
1.	Details of curriculum and syllabus followed in each class (upto VIII)	
2.	System of Pupil Assessment.	
3.	Whether pupils of the school are required to take any Board exam upto class 8?	

(I) Certified that the school has also submitted information in this data capture format of District Information System of Education with this application.

(J) Certified that the school is open to inspection by any officer authorized by the appropriate authority;

(k) Certified that the school undertakes to furnish such reports and information as may be required by the District Education Officer from time to time and complies with such instructions of the appropriate authority or the District Education Officer as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school;

(L) Certified that records of the school pertinent to the implementation of this Act shall be open to inspection. by ony officer authorized by the District Education Officer or appropriate authority at any time and the school shall furnish all such information as may be necessary to enable the Central Government or the Local Body or the Administration to discharge its or his obligations to Parliament / Panchayat / Municipal Corporation as the case may be.

Sd./-
Chairman/Manager
Managing Committee
………………… School

Place

Form II

Gram : **Phone :**

E-Mail : **Fax :**

OFFICE OF DISTRICT EDUCATION OFFICER

(Name of District/ Union Territory)

No. **Dated :**

The Manager,

Sub : Recognition Certificate for the School under sub-rule (4) of rule 15 of Right of Children to Free and compulsory Education Rules, 2010 for the purpose of section 18 of Right of Children to Free and Compulsory Education Act, 2009.

Dear Sir/Madam,

With reference to your application dated ………………. and subsequent correspondence with the school/inspection in this regard, I convey the grant for provisional recognition to the ……………………. (name of the school with address) for Class ………. to Class………. For a period of three years w.e.f. …………. to ………. .

The above sanction is subject to fulfillment of following conditions:-

1. The grant for recognition is not extendable and does not in any way imply any obligation to recognize/ affiliate beyond Class VIII.
2. The School shall abide by the provisions of Right of Children to Free and Compulsory Education Act, 2009 (Annexure I) and the Right of Children to Free and Compulsory Education Rules, 2010 (Annexure II).
3. The School shall admit in class I (or in pre-school class, as the case may be), to the extent of % of the strength of that class, children belonging to weaker section and disadvantaged group in the neighbourhood and provide free and compulsory elementary education till its completion.
4. For the children referred to in paragraph 3, the School shall be reimbursed in accordance with the provisions of sub-section (2) of section 12 of the Act. To receive such reimbursements school shall maintain a separate bank account.
5. The Society/School shall not collect any capitation fee and subject the child or his or her parent or guardian to any screening procedure.

6. The School shall not deny admission to any child for lack of age of proof shall adhere to the provisions of section 15 of the Act. The School shall ensure:
   (i) No child admitted shall be held back in any class or expelled from school till the completion of elementary education in a school;
   (ii) No child shall be subjected to physical punishment or mental harassment;
   (iii) No child is required to pass any board examination till the completion of elementary education;
   (iv) Every child completing elementary education shall be awarded a certificate as laid down under rule 25.
   (v) Inclusion of Students with disabilities/special needs as per provision of the Act.
   (vi) The teachers are recruited with minimum qualifications as laid under section 23(1) of the Act. Provided further that the current teachers who, at the commencement of this Act do not possess minimum qualifications shall acquire such minimum qualifications with in a period of 5 years;
   (vii) The teacher performs its duties specified under section 24(1) of the Act and
   (viii) The teachers shall not engage himself or herself for private teaching activities.
7. The School shall follow the syllabus on the basis of curriculum laid down by appropriate authority.
8. The School shall maintain the standards and norms of the school as specified in section 19 of the Act. The facilities reported at the time of last inspection are as given under:-
   Area of school campus
   Total built up area
   Area of play ground
   No. of class rooms
   Room for Headmaster-cum-Office-cum-Storeroom
   Separate toilet for boys and girls
   Drinking Water Facility
   Kitchen for cooking Mid Day Meal
   Barrier free Access
   Availability of Teaching Learning Material/Play Sports
   Equipments/Library
9. No unrecognized classes shall run within the premises of the school or outside in the same name of school.
10. The school buildings or other structures or the grounds are used only for the purposes education and skill development.
11. The School is run by a society registered under the Societies Registration Act, 1860 (21 of 1860), or a public trust constituted under any law for the time being in force;
12. The School is not run for profit to any individual, group or association of individuals or any other persons;
13. The accounts should be audited and certified by a Chartered Accountant and proper accounts statements should be prepared as per rules. A copy each of the Statements of Accounts should be sent to the District Education Officer every year.

14. The recognition Code Number allotted to your school is ………. This may please be noted and quoted for any correspondence with this office.
15. The school furnishes such reports and information as may be required by the Director of Education/District Education Officer from time to time and complies with such instructions of the Appropriate Government /Local Authority as may be issued to secure the continued fulfillment of the condition of recognition or the removal of deficiencies in working of the school;
16. Renewal of Registration of Society if any, be ensured.
17. Other conditions as per Annexure enclosed.

Yours faithfully,

District Education Officer.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಪಿ.ಆರ್. 30

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 25 ಕೇಶಾಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 14ನೇ ಜುಲೈ 2010

2010ನೇ ಸಾಲಿನ ಮೇ 18ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II ಸೆಕ್ಷನ್ 1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ The Tamil Nadu Legislative Council Act, 2010 (No. 16 of 2010) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 18th May, 2010/Valsakha 28, 1932(Saka)

The following Act of Parliament received the assent of the President on the 18th May, 2010, and is hereby published for general information:-

THE TAMIL NADU LEGISLATIVE COUNCIL ACT, 2010

(No. 16 OF 2010)

[18th May, 2010]

An Act to provide for the creation of Legislative Council for the State of Tamil Nadu and for matters supplemental, incidental and consequential thereto.

BE it enacted by Parliament in the Sixty-first year of the Republic of India as follows:-

1. Short title : This Act may be called the Tamil Nadu Legislative Council Act, 2010.

2. Definition : In this Act, unless the context otherwise requires, each of the words and expressions used herein and not defined but defined in the Representation of the People Act, 1950 (43 of 1950), shall have the same meaning as in that Act.

3. Creation of Legislative Council for Tamil Nadu : (1) As from such date as the President may, be order appoint, there shall be a Legislative Council for the State of Tamil Nadu; and as from that date, in sub-clause (a) of clause (1) of article 168, after the word “Karnataka”, the words “Tamil Nadu”, shall be inserted.

(2) In the said Council, there shall be 78 seats of which-

(a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 26, 7 and 7 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly of Tamil Nadu in accordance with the provisions of sub-clause (d) of the said clause shall be 26; and

(c) the number to be filled by persons nominated by the Government of Tamil Nadu in accordance with the provisions of sub-clause (e) of that clause shall be 12.

(3) As soon as may be after the commencement of this Act, the President, after consultation with the Election Commission, shall, by order, determine,-

(a) the constituencies into which the State of Tamil Nadu shall be divided for the purpose of elections to the said Council under each of the sub-clauses (a), (b) and (c) of clause (3) of article 171;

(b) the extent of each constituency; and

(c) the number of seats to be allotted to each constituency.

(4) As soon as may be after such determination, steps shall be taken to constitute the said Council in accordance with the provisions of this Act, the Representation of the People Act, 1950 (43 of 1950) and the Representation of the People Act, 1951(43 of 1951).

4. Amendment of Third Schedule and Fourth Schedule to Act 43 of 1950 : In the Representation of the People Act, 1950,-

(a) in the Third Schedule, after entry No. 6 relating to Karnataka, the following entry shall be inserted, namely:-

"7. Tamil Nadu	78	26	7	7	26	12";

(b) in the Fourth Schedule, after the heading "KARNATAKA" and the entries there-under, the following heading and entries shall be inserted, namely:-

"TAMIL NADU"

1. Municipalities, as referred to in article 243Q of the Constitution.
2. Panchayat Union Councils.
3. Cantonment Boards.
4. District Panchayats referred to in the Tamil Nadu Panchayat Act, 1994 (Tamil Nadu Act 21 of 1994)."

5. Amendment of section 15A of Act 43 of 1951 : In section 15A of the Representation of the People Act, 1951, after the words and figures "under the Andhra Pradesh Legislative Council Act, 2005 (1 of 2006)", the words and figures "and constituting the Legisaltive Council of the State of Tamil Nadu under the Tamil Nadu Legislative Council Act, 2010" shall be inserted.

V.K. BHASIN,

Secy. to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

ಪಿ.ಆರ್. 32